



Town of Loxahatchee Groves & Loxahatchee Groves Water Control District

Intergovernmental Coordination Meeting

Wednesday, February 29, 2012 at 11:00 a.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

Town Council Member Tom Goltzené
LGWCD Board Member David DeMarois
LGWCD Administrator & Moderator Clete Saunier

Town Manager Mark Kutney
Town Clerk Janice M. Moore

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order & Roll Call
- b. Pledge of Allegiance & Invocation
- c. Approval of Agenda

2. CONSENT AGENDA

- a. Approval of Minutes: January 4, 2012

3. PRESENTATIONS - *None*

4. OLD BUSINESS:

- a. Citizen Action Center Web-Based Program
- b. IGC Committee Member Terms of Service (District Update)
- c. Traffic Signal at Okeechobee Boulevard and D Road - Update
- d. Equestrian Trails Committee and Grant Application - Update
- e. Future Town/District Joint Workshops

5. NEW BUSINESS:

- a. Modifications to the Interlocal Agreement between the District and Town
 1. Priority Response to Town Requests When Current Road Resurfacing Work Is Complete (Established Early April)
 2. Documentation and Invoice Format Provided to the Town
 3. Work Schedule for Maintaining Certain Town Roads and Trails
 4. Budget Estimates (Town Expenses & District Revenue) for Fiscal Year 2012-2013
- b. Setting of Next Meeting Time & Date

6. DISCUSSION – *None*

7. ADJOURNMENT

Any person who decides to appeal any decision of the committee with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Lynnette Ballard, LGWCD Administrative Assistant at (561-793-0143), at least 48 hours in advance to request such accommodation. There may be two or more Town of Loxahatchee Groves Councilpersons present at this meeting.

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT /
TOWN OF LOXAHATCHEE GROVES
INTERGOVERNMENTAL COORDINATION (IGC) COMMITTEE MEETING
WEDNESDAY, JANUARY 25, 2012 / 11:00 A.M.**

Call to Order at 11:00 A.M. / Roll Call

Present: Mark A. Kutney -- Town Manager, Town of Loxahatchee Groves
Ron Jarriel -- Town Council Member, Town of Loxahatchee Groves
Clete J. Saunier, P.E. -- District Administrator, LGWCD (Meeting Moderator)
John Ryan -- Board Secretary-Treasurer, LGWCD

Also Present: Lynnette R. Ballard -- Administrative Secretary, LGWCD

Pledge of Allegiance / Invocation led by Mr. Saunier.

SUBJECT: AGENDA APPROVAL. Mr. Saunier requested the addition of the following agenda item under New Business Item #5A: Drainage Issue – 2150 “E” Road – Dan Haunert. Mr. Saunier stated New Business Item #5B would become “Setting of Next Meeting Date and Time.” Mr. Saunier asked if there were any other additions, deletions, or substitutions to the Agenda. There were none.

MOTION: Mr. Jarriel made a motion to approve the agenda as amended. Mr. Ryan seconded the motion.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: APPROVAL OF MINUTES FROM JANUARY 4, 2012 IGC COMMITTEE MEETING. Mr. Saunier asked if there were any additions, deletions, or comments to the minutes from the January 4, 2012 IGC Committee meeting. There were none.

Mr. Saunier requested, because Town Council Member Ron Jarriel was substituting for Tom Goltzene and Board of Supervisors Member John Ryan was substituting for David DeMarois, the minutes be tabled to the next regular IGC Committee Meeting.

MOTION: Mr. Kutney made a motion to table the minutes from the January 4, 2012 IGC Committee meeting to the next meeting. Mr. Ryan seconded the motion.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: TOWN-DISTRICT JOINT WORKSHOP MEETING – JANUARY 14, 2012. Mr. Kutney stated the Town-District Joint Workshop Meeting was held on January 14, 2012. He noted the meeting was not very well attended. He stated the costs associated with the joint workshop meeting were as follows: \$3,000.00 for the third-party facilitator, \$125.00 for rental of the Loxahatchee Groves Elementary School Cafetorium, \$130.00 for an officer from Palm Beach County Sheriff's Office, and miscellaneous expenses associated with refreshments.

Mr. Jarriel stated there were 30 people from the public at the joint workshop meeting.

Mr. Saunier stated the meeting discussion revealed communication between the Town, District, and landowners could be improved. There were suggestions of creating a joint Town-District newsletter, joint participation in Town-District websites, etc. He stated he has discussed with Mr. Kutney the option of changing website management contractors to upgrade the Town and District websites. The general consensus he heard from the Board of Supervisors and the Town Council was that the Town and District are currently cooperating very well (i.e., IGC Committee Meetings, good communication between the Town and District), but many residents and landowners are not aware of the good working relationship. The Town and District need to better communicate this to the community.

Mr. Kutney stated the Town has an RFP ready to be issued on the internet requesting quotes from a new website provider because the current website management contractor is not meeting their needs. The Town is also in the process of obtaining a price quote for a citizen interactive program. This program would allow individuals to sign in to the program and obtain various types of information as it develops. The Town Council gave authorization to Town Staff to proceed with the procurement process with regard to both of these items.

Mr. Saunier stated the Board authorized \$1,500.00 toward the joint workshop meeting facilitator. He requested a copy of the invoice so the District could pay the Town for its portion (50 percent). Mr. Kutney stated he would provide Mr. Saunier with a copy of the invoice.

Mr. Ryan stated it was his understanding that the facilitator was going to provide a results summary of the joint workshop meeting. Mr. Kutney stated he will contact the facilitator to request a written results summary of the joint workshop meeting.

Mr. Ryan inquired whether the Town would place an audio recording of the joint workshop meeting on its website. Mr. Kutney replied in the affirmative.

Mr. Ryan stated it was his understanding that the District's Attorney was going to coordinate with the Town's Attorney to prepare a memorandum addressing the mechanics of combining public governmental bodies. Mr. Kutney stated it was his

understanding that the Board and Town Council wanted their respective attorneys to create a report that could be used for future reference.

Mr. Ryan stated he believes mailing out a newsletter will be too expensive. He would prefer to have printed copies available for pick-up at the Town and District offices.

Mr. Kutney stated he would contact Mike Cirullo to inquire whether he has prepared a summary report regarding the joint workshop meeting. Town Staff will also contact Mr. Saunier to obtain information about the OGEM road improvement projects so that it could be included in the Town's newsletter. Mr. Saunier asked when the Town's newsletter would be published. Mr. Kutney replied the newsletter would be published in February 2012. Mr. Kutney stated he would like to see the newsletter in a one-page format.

Mr. Jarriel stated he agrees with having printed copies of the newsletters available for pick-up at the Town and District offices.

Mr. Ryan inquired whether the Post Office would allow the Town and District newsletters to be available for pick-up at their office. Mr. Jarriel stated he would contact the Post Office to inquire about this.

Mr. Jarriel stated he was disappointed with the low attendance at the joint workshop meeting. He stated the only reason he supported a joint workshop meeting was because it was being held at the beginning of the year. He would not support another workshop meeting. He noted the costs associated with this joint workshop meeting and inquired about the rate of \$275.00 for rental of the cafetorium. Mr. Kutney replied that was the rate for the entire three hours; originally, it was supposed to be \$325.00 but the school later gave the Town a discounted rate.

Mr. Jarriel stated the meeting should have lasted longer than three hours considering the time and effort that was placed into it. The Town Council and Board of Supervisors should have been allowed to have beginning and ending comments after they listened to the public. Regarding speed tables on the OGEM road improvement projects, they need to provide for a minimum speed limit of 30 mph.

Mr. Jarriel stated the majority of the Town Council is not in favor of a merger at this time because the Town has other priorities. According to the Town's Charter, landowners could generate a petition for a merger; however, he would not support the petition.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: CITIZEN ACTION CENTER WEB-BASED PROGRAM - UPDATE. It was the consensus of the IGC Committee that this item remain on the agenda under Old Business for the next IGC Committee Meeting.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: DRAINAGE ISSUE – 2150 “E” ROAD – DAN HAUNERT. Mr. Saunier stated he spoke with Mr. Haunert, who has a land-locked property that is not contiguous to “E” Road Canal. This presents a problem for Mr. Haunert because he is dependent upon a drainage easement that may or may not exist in the public records. He is totally dependent upon his neighbors being able to get his drainage off his property to “E” Road Canal.

Mr. Saunier advised Mr. Haunert that his drainage issue would be discussed at this IGC Committee Meeting and that the IGC Committee might be able to assist him.

Mr. Ryan stated according to Florida Statutes Chapter 298, a landlocked landowner is entitled to construct a drainage ditch across the land of an intervening landowner. This is somewhat similar to a condemnation proceeding, and there would be legal costs involved. Mr. Ryan stated Mr. Haunert should be advised that under Chapter 298, if he wants to go through a legal proceeding, he has a right to be able to drain his property, and that there are costs associated with that.

Mr. Ryan suggested the District explain to Mr. Haunert what his rights are according to the Florida Statutes and that he needs to work with his neighbors to pay the associated costs.

Mr. Jarriel stated he thinks the Town Council would support the District in assisting Mr. Haunert with this issue. Mr. Saunier stated he can advise Mr. Haunert of his legal options per Florida Statutes.

Mr. Ryan stated the District should send a letter to Mr. Haunert that outlines what his rights are, how to enforce those rights, and that he needs to work out this issue with his neighbors. Mr. Saunier stated he could write a letter to Mr. Haunert that would state in accordance with Chapter 298.57, he has the right to drain water off his property through another intervening property owner.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: SETTING OF NEXT MEETING DATE AND TIME. The IGC Committee agreed to schedule its next meeting for Wednesday, February 29, 2012 at 11:00 a.m. at the District office.

The next designated Board of Supervisors representative is David DeMarois (January 2012 through February 2012).

Mr. Ryan indicated his willingness to substitute for David DeMarois at the February 29, 2012 meeting, if necessary.

The next designated Town Council representative is Ron Jarriel (February 2012 through May 2012).

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: IGC COMMITTEE MEMBER TERMS OF SERVICE. Mr. Jarriel stated he would like the IGC Committee Members to consider serving longer terms on the Committee in order to maintain continuity.

Mr. Ryan stated the continuity issue came from a request by Town Council Member Tom Goltzene during the Town-District joint workshop meeting. Mr. Goltzene had previously brought it to the Town Council and requested a change.

Mr. Ryan stated he has always thought the Town and District representatives should have the same terms. Mr. Saunier suggested the terms for each Town and District representative be staggered accordingly. Mr. Ryan stated a four-month term allows members to become familiar with the agenda and have some continuity; if there is a reason for any special continuity beyond that, the Committee can advise the District Board and Town Council to take that into consideration.

Mr. Kutney asked Mr. Jarriel whether he would like this issue to be placed on the next Town Council meeting agenda. Mr. Jarriel replied in the negative and stated he likes the four-month term for the Town Council Members.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: TRAFFIC SIGNAL – OKEECHOBEE BOULEVARD AND “D” ROAD. Mr. Kutney stated the Town Council is considering certain capital improvements such as a traffic signal at the intersection of Okeechobee Boulevard and “D” Road.

Mr. Saunier stated the County did a preliminary roundabout design for “D” Road. The County also did a traffic signal warrant study which showed that location does not have the requisite traffic counts to meet State requirements for a traffic signal. However, the Town Council could make a policy decision to install one.

Mr. Ryan asked whether a roundabout would require a significant amount of land. Mr. Saunier replied that a roundabout would require significant acquisition of lands requiring condemnation.

Mr. Jarriel stated Commissioner Jess Santamaria requested a letter from the Town stating the Town’s desire for a traffic signal at this intersection. The Town submitted the letter and received a written response from George Webb, the County Engineer. Mr. Webb stated the traffic signal was approved by the County. In the letter, Mr. Webb stated the Town would need to create the design and provide a cost estimate for the traffic signal.

Mr. Jarriel stated when the traffic signal is installed, it needs to be installed as if the road is four-laned and the canal would need to be filled in. Mr. Jarriel stated he is uncertain whether the County’s engineering firm needs to determine the cost or whether the Town and District could determine the cost.

Mr. Kutney stated the County would most likely prefer to install the traffic signal and seek reimbursement from the Town.

Mr. Saunier stated he would contact Jim Noth at Erdman Anthony. Mr. Saunier stated Mr. Noth should have all the data, including survey work in electronic format, and therefore be able to provide a cost estimate for traffic signalization.

Mr. Jarriel stated he received a quote from George Webb for a wire traffic signal in the amount of \$190,000.00; and for a steel structure in the amount of approximately \$200,000.00. Mr. Jarriel stated he would ask the County to pay for the traffic signal at Okeechobee Boulevard and “D” Road since Okeechobee Boulevard is a County road.

Mr. Saunier stated the County should be required to pay for any improvements associated with the widening of Okeechobee Boulevard.

Mr. Jarriel stated the Town is ready to pay up to \$250,000.00 for the traffic signal, if necessary. However, it would be helpful if the County paid for the turn lanes and the required culvert extensions on “D” Road Canal.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

SUBJECT: REQUEST FOR INFORMATION BY TOWN'S GRANT WRITER. Mr. Kutney stated the Town's grant writer has requested certain information from the District. Those items are as follows: (1) surveys regarding District boundaries, (2) easement information related to all dedicated easements along District roads, (3) easement and/or preserve information regarding District roads.

Mr. Kutney stated the Equestrian Trail Committee has held two meetings and it seems they are focusing more on tactics and strategies instead of creating a clear vision.

Mr. Jarriel stated he spoke at great length with a representative from the Equestrian Trail Committee. Mr. Saunier stated he has also spoken with this representative and noted how proactive she is to establish an equestrian trail system. Mr. Saunier stated the Town and District should do everything they can to assist her.

Mr. Saunier stated he can provide Mr. Kutney with a copy of the District's 1990 boundary survey which shows all the District's rights-of-way. This should be sufficient information for the Town's grant writer. Mr. Saunier noted the majority of all affected rights-of-way are sixty (60) feet wide. He noted the District does not possess any preservation areas.

Mr. Saunier provided Mr. Kutney with a copy of the District's 1990 boundary survey as produced by Adair and Brady, Inc. Mr. Kutney inquired as to the accuracy of the boundary survey. Mr. Saunier replied that every surveyor that does work in Loxahatchee Groves requests a copy of this particular survey.

Mr. Saunier stated if the grant writer requires additional information, she can contact him for more detailed specific purpose surveys.

There was no further discussion by the IGC Committee on this item.

MOTION: No motion was necessary.
ACTION: **NO ACTION WAS TAKEN.**

MEMBER COMMENTS

There were no comments from the IGC Committee Members.

PUBLIC COMMENTS

There were no public comments.

The meeting was adjourned by the Committee at 1:00 p.m.

John Ryan, LGWCD Board Sec-Treasurer

Ron Jarriel, Town Council Member, TOLG

Clete J. Saunier, LGWCD Administrator

Mark A. Kutney, Town Manager, TOLG